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FM AMEMBASSY SANTO DOMINGO
TO RUEHC/SECSTATE WASHDC PRIORITY 2748
INFO RUEHZA/WHA CENTRAL AMERICAN COLLECTIVE PRIORITY
RUEHWN/AMEMBASSY BRIDGETOWN PRIORITY 2246
RUEHCV/AMEMBASSY CARACAS PRIORITY 0997
RUEHGE/AMEMBASSY GEORGETOWN PRIORITY 1156
RUEHKG/AMEMBASSY KINGSTON PRIORITY 2945
RUEHLP/AMEMBASSY LA PAZ MAY 0564
RUEHPO/AMEMBASSY PARAMARIBO PRIORITY 1280
RUEHPU/AMEMBASSY PORT AU PRINCE PRIORITY 4992
RUEHSP/AMEMBASSY PORT OF SPAIN PRIORITY 1985
RUEHUB/USINT HAVANA PRIORITY 0266

UNCLAS SANTO DOMINGO 000547

SENSITIVE
SIPDIS

STATE FOR WHA/CAR, LA PAZ FOR A/DCM C LAMBERT

E.O. 12958: N/A
TAGS: [PREL](#) [PHUM](#) [PGOV](#) [HA](#) [DR](#)
SUBJECT: PRESENT LABOR CONDITIONS RELATED TO FORCED LABOR
IN SUGAR PRODUCTION

11. (SBU) Summary: This cable reports on current labor conditions evaluated to help determine whether the production of sugar in the Dominican Republic is accomplished through forced labor. Post individually consulted ten groups with significant experience working in the sugar bateyes. The responses from these groups negated reports of forced labor and the conditions supporting the same. Aside from armed guards, a cultural norm in country, only a few groups reported isolated incidents of some of the practices cited by sources provided to the Department of Labor. Post therefore continues to recommend that the Department of Labor not include Dominican sugar in its list of goods produced through forced labor.

THE SURVEY

13. (U) The survey Post used to solicit responses from NGOs, inter-governmental agencies and other humanitarian organizations is as follows:
We are attempting to gauge current work freedom situations for cane laborers and would like to know if, in your experience, any of the following are still occurring. If they are not occurring now, but did occur in the past, do you know approximately when the practices stopped?
(a) Withholding wages until the end of the harvest or the beginning of the following season to keep workers in the field.
(b) Confiscating workers' clothes and documents to prevent them from leaving.
(c) Presence of armed guards in the fields. If they are there, why are they present?
(d) Punishing with violence workers who are caught trying to leave.
(e) Threatening those who try to leave with forced deportation (due to their lack of documentation).
(f) Falsely promising employment in other sectors to workers who are then forced to work in sugarcane for no wages or for wages so low that they cannot leave.
(g) Paying the workers in coupons or vouchers that are only honored on company grounds rather than in currency.

THE RESPONSES

14. (SBU) Post solicited responses to these questions from representatives with Movimiento Socio Cultural para los

Trabajadores Haitianos (MOSCTHA), the Solidarity Center (AFL-CIO), Catholic Relief Services (CRS), Movimiento de Mujeres Dominico-Haitianas (MUDHA), Pan American Development Foundation (PADF), Mujeres en Desarrollo Dominicana (MUDE), Batey Relief Alliance Dominicana (BRA), Servicio Jesuitas a Refugiadas y Migrantes (SJRM), Centro Dominicano de Asesoría e Investigaciones Legales (CEDAIL), and Facultad Latinoamericana de Ciencias Sociales (FLACSO). These groups represent a highly reputable cross-section of the community working in bateyes with Haitian sugarcane laborers and their descendents in the Dominican Republic.

15. (U) Withholding wages until the end of the harvest or the beginning of the following season to keep workers in the field. None of the ten groups questioned know of cases in which this practice is occurring. Two mentioned that this was a past practice, but were not sure how long ago the practice stopped.

16. (U) Confiscating workers' clothes and documents to prevent them from leaving. Only one group reported that this practice still occurs with the confiscation of documents, but not clothes. The one respondent that claimed this was still occurring based her response on information received from a batey union in Barahona. When PolOff contacted the head of the union from whom the group's director based her response, that union representative stated that this does not occur. Two other sources claimed that this was an ancient practice that has long since ceased.

17. (U) Presence of armed guards in the fields. If they are there, why are they present? Five out of ten groups report

that this practice continues. Of those reporting that this practice exists, all reported that the guards are present for the security of the workers and the owner's property. Two of the respondents believed that they have the effect of keeping the people down and intimidating the workers into not complaining about their conditions. One respondent, who said that the guards are currently present to maintain order noted that 15 years ago, the guards were used to keep the workers in their camps and to bring in new workers. This source commented that the guards no longer hold this function. One respondent noted that the guards are not in place to keep the workers from leaving, in fact workers routinely leave one batey for another, but rather to keep order in a field full of men armed with machetes.

18. (U) Punishing with violence workers who are caught trying to leave. Nine out of ten groups report no known cases of this practice. One group representative reported that he had heard of a few cases of this practice, but noted that it has been reduced significantly in recent years. Two respondents who said the practice had ceased claimed that it had stopped some time ago.

19. (U) Threatening those who try to leave with forced deportation (due to their lack of documentation). Five out of ten groups report no known cases of this practice, and no sources noted a threat of deportation in response to an attempt to leave the bateyes. Of those five groups reporting that threats of deportation exist, one was contradicted by her source who works with her in Barahona. Of the remaining four groups claiming that threats of deportation continues, two stated that the threat arises when the workers complain about their salary or ask for better working conditions, not when they seek to leave. One representative who believes the practice occurs in response to requests to improve conditions claimed that some leaders of worker groups have been deported after seeking improvements. Another representative noted that generally workers have a fear of deportation gained through the process of their migration even if the threat of deportation is not raised by their employers.

110. (U) Falsely promising employment in other sectors to workers who are then forced to work in sugarcane for no wages or for wages so low that they cannot leave. Six out of ten groups report no known cases of this practice, and no groups

agreed with the second part of the question - i.e. that workers are forced to work in sugarcane for no wages or for wages so low that they cannot leave. Of those reporting that this practice exists, all four claimed that the workers expected to make more money than they made upon beginning work in the bateyes. Two of those respondents claimed that workers are promised jobs in construction by "buscones," but the workers ended up in bateyes.

¶11. (U) Paying the workers in coupons or vouchers that are only honored on company grounds rather than in currency. Six out of ten groups report no known cases of this practice. On the four who claimed knowledge of this event, one was contradicted by her source. Of those remaining, one claimed that this practice was continuing until last year in Barahona; however, these are not company store coupons in the traditional sense, but rather paper slips that can be converted to cash (like any other paycheck) or used in company stores. When PolOff asked those reporting that this practice exists to further explain what they knew to be happening, the groups explained that the coupons can be exchanged for cash, but not until payday. When the workers deliver the cut sugarcane, they are given a "coupon" that notes how much the cane weighed and how much they will be paid on payday. Because the workers in some bateyes are paid every two to three weeks, they may need to wait as much as 20 days to collect their pay in cash. If the worker decides not to wait for this payment, he or she can submit these sheets of paper to company-owned stores where they are paid 80 cents on the dollar for immediate use. All groups to whom PolOff requested additional information stated that the workers are able to collect the full amount of their salary in cash if they can wait until payday to collect their money.

COMMENT

¶12. (SBU) Based on these responses, and the combined experience of the political officers serving at Post, Post concludes that the practices and conditions supporting a finding of forced labor in the production of Dominican sugar do not currently exist and suggests that the Department of Labor not include Dominican sugar in its List of Goods as produced through forced labor. The results of this survey are particularly significant given that, with possible exception of PADF, the groups questioned represent and work solely in the interest of the Haitian laborers and their descendants. Also noteworthy is the fact that although Post's labor and human rights reporting officer daily communicates with and responds to grievances from NGOs representing Haitian rights, the practices leading to this survey have never previously been raised as concerns. Likewise, in PolOff's personal experience speaking with and visiting the laborers and residents of bateyes throughout the Dominican Republic, with the exception of one armed guard seen on one batey, the issues raised in this survey are not current practice.

¶13. (SBU) Haitian workers' lack of documentation and illegal status in the country does place them in a tenuous situation. There is a high likelihood that their employers take advantage of their situation and this is reflected through their payment and working conditions. Likewise, the presence of armed guards on private batey property is not surprising -- culturally, this is standard practice and many private property owners employ armed guards due to the high crime rate in the country and concerns for personal protection. Batey workers routinely leave one batey for another, or from bateyes to other cities for work, and no respondent reported guards or other batey representatives attempting to stop this movement.

(U) Please visit us at
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